

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	G.E. Merriam	Examiner:	Marc M. Duncan
Serial No.:	10/734,384	Group Art Unit:	2113
Filed:	December 12, 2003	Docket No.:	BO999020US2
TITLE:	METHOD, SYSTEM, AND PROGRAM FOR DIAGNOSING A COMPUTER IN A NETWORK SYSTEM		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to Examiner Marc. M. Duncan on April 24, 2006

/David Victor/  
David W. Victor

**AMENDMENT IN RESPONSE TO FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is submitted in response to a final office action in the above case dated February 23, 2006 ("Final Office Action"), in which the Examiner allowed claims 3, 5, 7, 10, 13-15, 17-22, and 31-34 and rejected claims 23, 25-30, and 35-36 as directed toward non-statutory subject matter (35 U.S.C. §101). During the week of April 17<sup>th</sup>, the attorney for Applicants and the Examiner had a phone interview to discuss the Section 101 rejection. The Examiner proposed an amendment which Applicants have made herein to overcome the Section 101 rejection. Applicants submit that all pending claims 3, 5, 7-10, 13-15, 17-23 and 25-36 are patentable over the cited art and in condition for allowance for the reasons discussed herein.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2.

**Remarks/Arguments** begin on page 9.